I. Introduction

1. The year 2013 will mark a decade since the adoption of General Assembly resolution 57/306 and the issuance of the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13), in the wake of serious allegations of widespread sexual exploitation and abuse of vulnerable populations by aid workers in West Africa. Further instances of sexual exploitation or abuse also indicated that standards, policies and procedures and organizational accountability mechanisms in place at the time were clearly inadequate. The Secretary-General adopted a zero tolerance policy and put measures in place to prevent and address sexual exploitation and abuse by United Nations personnel.

2. Over the years, there has been a marked decrease in the overall number of reported instances of sexual exploitation and abuse in all United Nations entities, from a high of 373 in 2005 to 88 in 2012. In the specific case of peacekeeping and special political missions supported by the Department of Field Support, the number of allegations reported decreased to 60 in 2012, from 74 in 2011, and remained far below the 357 allegations reported in 2006 and the 340 reported in 2005. While progress has been made in reducing instances of sexual exploitation and abuse as result of dedicated action at the international and national levels, continued efforts are needed to enforce zero tolerance for sexual exploitation and abuse and to strengthen accountability.

3. The present report describes enhanced measures for the implementation of the zero tolerance policy towards acts of sexual exploitation and abuse. It also provides information on the number and type of allegations of sexual exploitation and abuse received in 2012 and the status of investigations into those allegations.

II. Reports of sexual exploitation and abuse in 2012

4. Information on allegations of sexual exploitation or sexual abuse reported in 2012 was received from 45 entities, including the departments and offices of the Secretariat and the agencies, funds and programmes of the United Nations system listed in annex I to the present report. The number of allegations reported for 2012 by all entities totalled 88, compared with 102 in 2011. Six entities, including peacekeeping operations and special political missions, reported having received one or more allegations, whereas 39 reported having received none.[1]

5. The nature of the allegations and the status of their review are detailed in the annexes to the present report. The omission of a reference to a particular entity in those annexes means that no allegations involving its personnel were reported. Allegations involving civilian, military, police and corrections personnel deployed to peacekeeping operations and special political missions supported by the Department of Field Support are presented separately in the annexes.

[1] While the Department of Political Affairs is counted as a separate entity, data relating to special political missions supported by the Department of Field Support are included in the figures for the latter Department. Allegations made against United Nations Volunteers are included in the data provided by their host entity, since Volunteers fall under the category of United Nations-related personnel.

Allegations reported against United Nations staff members and related personnel other than those deployed in peacekeeping operations and special political missions supported by the Department of Field Support

6. Annex II contains details on the nature of allegations reported against United Nations staff members and related personnel other than those deployed in peacekeeping operations and special political missions supported by the Department of Field Support. Annex III describes the status of investigations into those allegations. As at 31 December 2012, 28 allegations of sexual exploitation and abuse had been made. This is the same number of allegations that were reported in 2011. The status of the allegations can be summarized as follows:

(a) One allegation falling into the category of other forms of sexual exploitation and abuse was reported against a staff member of the International Criminal Tribunal for Rwanda. The case is currently being handled by the Office of Internal Oversight Services in Nairobi;

(b) The Office of the United Nations High Commissioner for Refugees reported 12 allegations: 1 of rape with a victim over the age of 18; 2 of sex with minors; 1 of sexual assault of a victim under the age of 18; 4 of exchange of money, employment, goods or services for sex; and 4 falling into the category of other forms of sexual exploitation and abuse. Of those 12 cases, 4 involve non-staff personnel: 1 of sex with a minor and 3 of other forms of sexual exploitation and abuse. All the cases have been referred to an investigative body and are currently under review;

(c) The United Nations Population Fund reported an allegation against a Fund service contract holder of having been involved with a woman that constituted an exchange of money for sex. The case is currently under investigation by the Fund's Division for Oversight Services;

(d) The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) reported 13 allegations for 2012 in four of its five field offices: Jordan (4), Lebanon (4), the West Bank (2) and the Gaza Strip (3). All cases but one involved staff members. One allegation of sex with a minor is currently being investigated. Of five cases regarding allegations of sexual assault of victims under the age of 18, one was found to be unsubstantiated, one was closed for not being able to reach the complainant, two are currently under investigation and one has been closed with disciplinary action against the perpetrator. A board of inquiry was able to substantiate the allegation that a staff member had had a consensual sexual relationship with a beneficiary of an UNRWA programme. The case was referred to the Director of UNRWA Operations at the Gaza Field Office and remains under review. Of six cases regarding allegations of other forms of sexual exploitation and abuse, four (including one that involved a contractor) were closed or found to be unsubstantiated, one is currently being reviewed by an investigative body and one, where no evidence was found but that created a difficult working environment, was closed by making administrative arrangements;

(e) One allegation falling into the category of other forms of sexual exploitation and abuse was reported against a staff member of the World Food Programme. The case was found to be unsubstantiated.

7. At the end of the reporting period, 43 per cent of the allegations had been investigated and 32 per cent of those cases were closed either because the

allegations were found not to be substantiated or owing to a lack of sufficient supporting evidence.

8. During the reporting period, investigations into allegations reported in 2011 were also concluded. Of the 17 cases for which investigations were continuing at the end of 2011, 7 were found to be unsubstantiated. Two investigated cases were further reviewed and subsequently closed (by dismissal and exoneration, respectively). For the remaining allegations, investigations were either continuing or the investigation report was under review by the relevant offices at the end of 2012.

Allegations reported against personnel deployed in peacekeeping operations and special political missions supported by the Department of Field Support

9. In 2012, 60 allegations of sexual exploitation and abuse were reported in 10 field missions, with 31 involving staff members, contractors or United Nations Volunteers,[2] 19 involving members of military contingents or military observers,[3] 9 involving United Nations police officers or members of formed police units[4] and 1 involving personnel whose category is unknown. Annex IV contains detailed information concerning all allegations received in 2012, the nature of those allegations, the complainant or victims associated, the category of personnel involved and the actions taken.

10. In 2012, the vast majority (51 allegations or 85 per cent) of all allegations of sexual exploitation and abuse were received from the same four peacekeeping missions as in 2011 and in similar proportions: the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), with 25 allegations (41 per cent); the United Nations Mission in South Sudan (UNMISS) and the United Nations Mission in Liberia (UNMIL), with nine allegations each (15 per cent each); and the United Nations Stabilization Mission in Haiti (MINUSTAH), with eight allegations (13 per cent). The remaining nine allegations (15 per cent) concerned the following peacekeeping missions and political missions: the United Nations Operation in Côte d'Ivoire (UNOCI), with three allegations; the United Nations Integrated Mission in Timor-Leste (UNMIT), with two allegations; the United Nations Mission for the Referendum in Western Sahara (MINURSO), the United Nations Interim Security Force for Abyei (UNISFA), the United Nations Assistance Mission in Afghanistan (UNAMA) and the United Nations Peacebuilding Support Office in Guinea-Bissau (UNIOGBIS), with one allegation each.

11. The reduction in the overall number of allegations of sexual exploitation and abuse is a positive development. Nevertheless, that close to half of the allegations continue to involve the most egregious forms of sexual exploitation and abuse is extremely concerning. Of the 60 allegations reported in 2012, 27 (45 per cent) involved the most egregious forms of sexual exploitation and abuse: there were 18 allegations of sexual activities with minors (30 per cent) and an additional 9 allegations of non-consensual sex with persons aged 18 or older (15 per cent).

[2] Civilian personnel: 22 allegations involving staff members, six allegations involving employees of United Nations contractors and three allegations involving United Nations Volunteers.

[3] Military personnel: 17 allegations involving military contingent personnel and two allegations involving military observers, the latter deployed as experts on mission for the United Nations.

[4] Police personnel: five allegations involving United Nations police officers and four allegations involving members of formed police units all deployed as experts on mission for the United Nations.

Proportionally, such allegations were most prevalent in MONUSCO (12 of the 25 allegations), MINUSTAH (four of the eight allegations) and UNOCI (all three allegations), with the remaining eight allegations being associated with six other missions.

12. With regard to investigations into the allegations received in 2012:

(a) Of the 60 allegations, 13, involving at least 18 military contingent personnel, were referred for investigations to be conducted by troop-contributing countries. In nine of those instances, the Member States involved indicated that they would investigate. In the four instances in which no response was received from the troop-contributing countries, investigations were undertaken by the United Nations. States of nationality were also notified of eight allegations involving military or police personnel with the status of experts on mission, into which the United Nations is conducting the related investigations;

(b) Of the 60 allegations, 33 were referred for investigations to be conducted by the United Nations, with 23 involving at least as many civilian personnel, 2 involving two military observers and 8 involving at least 12 police personnel;

(c) One allegation reviewed was deemed not to warrant a full investigation and was closed as unsubstantiated;

(d) Information provided concerning the following 13 allegations of sexual exploitation and abuse was deemed insufficient to allow for further investigation and the cases were closed accordingly: the sole allegations received for MINURSO, UNIOGBIS and UNAMA, respectively, in addition to 1 of the allegations received for UNMIL and for MINUSTAH, respectively, 3 allegations received for UNMISS and 5 allegations received for MONUSCO.

13. As at 31 December 2012, investigations had been completed in connection with 11 allegations received in 2012. They include those conducted by troop-contributing countries into five allegations (two substantiated and three unsubstantiated) and by the United Nations into six allegations (one substantiated and five unsubstantiated). Investigations into 35 allegations remain pending. For allegations reported in 2011, investigations have been completed in 56 per cent of instances; for allegations reported in 2010, investigations have been completed in 75 per cent of instances. Of all allegations for which investigations were completed between 2008 and 2012, 51 per cent were substantiated.[5] In that regard, it remains important to note that allegations found to be unsubstantiated through investigations were not necessarily false or made in bad faith. For example, allegations of sexual exploitation and abuse, owing to their nature and circumstances, often remain unsubstantiated because of factors such as a lack of forensic evidence, a lack of corroborating witnesses or the impossibility of positively identifying alleged perpetrators.

14. In 2012, on the basis of investigations conducted in 2012 and earlier, the Secretariat requested that actions should be taken against civilian personnel in connection with seven allegations of sexual exploitation and abuse in field missions. Actions were also taken in 2012 with regard to an additional three allegations referred before 2012:

[5] Data compiled from the misconduct tracking system of the Department of Peacekeeping Operations and the Department of Field Support, as at 1 January 2013.

(a) The Office of Human Resources Management was requested by the Department of Field Support to take disciplinary actions against two staff members involved in an allegation originating from MINUSTAH in 2011 (the evidence was later deemed insufficient and the matter closed accordingly); a staff member relating to an allegation from the United Nations Mission in the Sudan (UNMIS) in 2011 (the staff member was dismissed); and a staff member relating to an allegation from UNMIL in 2011 (the matter remains under review). An additional staff member was also disciplined by separation from service in 2012 for an allegation originating from UNMIL in 2010 and referred before 2012. A request was also made for a staff member to be placed on administrative leave pending the completion of an investigation into an allegation from UNISFA. The staff member concerned left the Organization soon thereafter, however;

(b) The United Nations Volunteers Programme was requested by the Department of Field Support to take disciplinary action against a Volunteer for a substantiated allegation originating from UNMIS in 2010. The evidence was later deemed insufficient, however, and the matter closed. The Programme also reported on action taken in 2012 in respect of matters referred earlier, indicating that a Volunteer was dismissed in connection with a 2011 allegation in UNMIL, whereas evidence was deemed insufficient concerning an allegation made in 2009 involving a Volunteer in the United Nations Organization Mission in the Democratic Republic of the Congo;

(c) Lastly, the Office of Legal Affairs referred to a State of nationality two instances of credible allegations of sexual exploitation and abuse that involved employees of two United Nations contractors. One concerned an allegation made in 2006 in UNMIL and involved five employees, while the other concerned an allegation made in 2010 in MONUSCO and involved two employees.

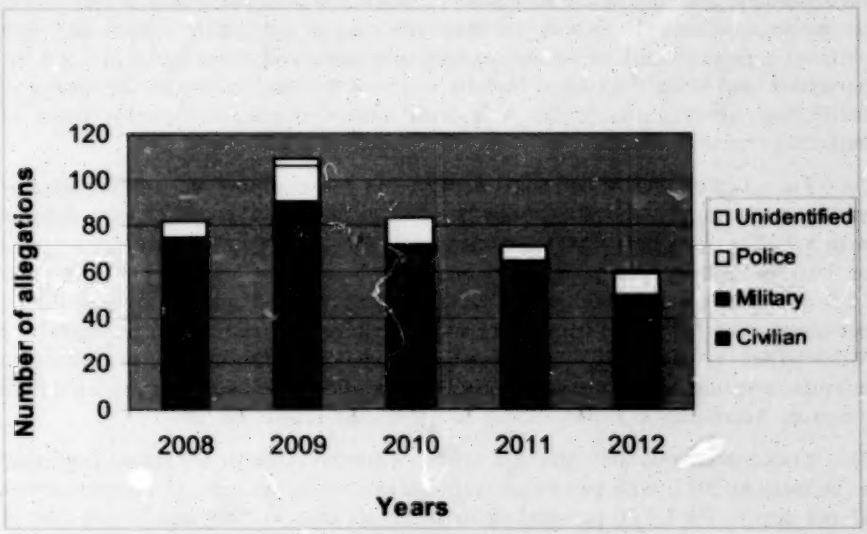
15. Regarding actions in instances involving military and police personnel in 2012, the Department of Peacekeeping Operations and the Department of Field Support referred 24 allegations of sexual exploitation and abuse received in 2012 or earlier to 16 troop- and police-contributing countries. It was also determined that nine police and eight military personnel would be repatriated on disciplinary grounds and barred from participating in future field missions in connection with 13 substantiated allegations received in 2012 or earlier. Again in 2012, the Department of Field Support received 11 responses from 10 States of nationality concerning actions that they had taken regarding allegations from 2012 or earlier. Of those, the responses indicated the nature of the actions taken concerning nine allegations, with measures including jail terms ranging from six months to a year, accompanied by dismissal, for three personnel; jail terms of 30 or 60 days for four personnel; dismissal for three personnel; and other disciplinary measures for an additional two personnel. Responses in connection with two further allegations indicated that personnel had been convicted, but that information on sentences or disciplinary measures would be communicated later.

III. Observations

16. For peacekeeping and special political missions supported by the Department of Field Support, the total number of allegations reported decreased in 2012, following earlier reductions in allegations received for 2011 (74 allegations) and

2010 (85 allegations). There has been a large decrease in the number of reported allegations involving military personnel, with 19 reported in 2012, as compared with 41 reported in both 2011 and 2010. For civilian personnel, there was an increase to 31 allegations in 2012, as compared with 27 in 2011 and 31 in 2010. For police personnel, 9 allegations were reported in 2012, as compared with 6 in 2011 and 11 in 2010 (see figure).

Total allegations, by category of personnel, for 2008-2012



Source: Office of Internal Oversight Services.

17. The year 2012 is the first in which the number of allegations of sexual exploitation and abuse involving military personnel is lower than those involving civilian personnel. Information available concerning the number of individuals involved with each allegation, however, reveals that allegations concerning civilian personnel tend mainly to involve a single perpetrator, whereas allegations involving uniformed personnel are more often associated with more than one perpetrator. The above-average proportion (66 per cent) of allegations relating to sexual abuse and sexual activities with minors in instances involving police personnel is also of concern.

18. When looking at numbers of allegations of sexual exploitation or abuse, it should be kept in mind that each allegation may involve more than one possible victim. In 2012, of the 60 allegations, 19 were reported without sufficient information on the number of potential adult or minor victims. In relation to 41 allegations, however, 16 minors and nine adults were identified as possible victims of sexual abuse, whereas 25 adults claimed to be victims of sexual exploitation.

19. Moreover, it should be noted that six of the allegations of sexual exploitation received in 2012 also involved paternity claims. During the reporting period, the United Nations notified Member States of paternity claims raised in relation to their uniformed personnel. Some of the responses received illustrate the difficulties faced

in having paternity claims addressed. In one instance, a Member State indicated that, since its military forces had dismissed the soldier involved in an instance of sexual exploitation, its military authorities no longer had the jurisdiction to address the paternity claim submitted and that the claim would need to be filed with its civil courts. Another Member State also pointed out the requirement that a paternity claim be filed before its national courts directly by the alleged mother. In both instances, those national courts were located on a different continent from the one where the claimants and their children resided and the Member States involved had no diplomatic presence in the host State to which the claimants could at least direct the paternity claims. To provide for the well-being of the female victims and their children born as a result of acts of sexual exploitation and abuse by United Nations personnel, and while the United Nations will seek to assist in this matter, means of facilitating adjudications in the host State and of implementation by States of nationality must be found.

20. For all categories of personnel deployed in peacekeeping and special political missions, the ratio is 4.9 allegations per 10,000 personnel in 2012,[6] as compared with 5.9 allegations per 10,000 personnel in 2011.[7] In MONUSCO, the ratio climbs to 10.6 allegations per 10,000 personnel deployed (13.3 in 2011). Ratios are 10.5 allegations per 10,000 personnel for UNMISS,[8] 8.4 allegations per 10,000 personnel for UNMIL (11.0 in 2011) and 6.5 allegations per 10,000 personnel for MINUSTAH (10.5 in 2011). Allegations concerning those four peacekeeping missions continue to represent the vast majority of all allegations received for field missions. Accordingly, further actions in that respect are envisaged.

21. Communications with Member States on formal referrals for action continued to increase in 2012, with an overall response rate of 57 per cent, as compared with 43 per cent in 2011,[9] 39 per cent in 2010, 17 per cent in 2009 and 11 per cent in 2008. This increase is particularly noticeable as regards requests made by the Secretariat for troop-contributing countries to investigate allegations involving military contingent personnel. The Secretariat continues, however, to face challenges in receiving information on the results of investigations conducted by troop-contributing countries and of actions taken by Member States in instances of substantiated allegations involving their uniformed personnel. The Secretariat will continue to work towards improving levels of communication with those Member States.

IV. Strengthened accountability and governance framework for heightened prevention, enforcement and remedial action

22. The decrease in numbers over the past decade and noticeably in the past three years notwithstanding, continued instances of sexual exploitation and abuse and the persistent prevalence of the most egregious forms of sexual exploitation and abuse signal the need for continued effort and resolve. To galvanize collective leadership

[6] Or one allegation to 2,055 personnel in 2012, as compared with one allegation to 1,660 personnel in 2011 and one allegation to 1,435 personnel in 2010.

[7] Revised data from 5.6 allegations per 10,000 personnel indicated in the previous report (A/66/699).

[8] Data for UNMISS in 2011 did not cover the full year.

[9] Revised data from 58 per cent indicated in the previous report (A/66/699).

efforts, late in 2011 the Secretary-General convened a high-level meeting of the United Nations departments and offices, agencies, funds and programmes. The recommendations arising from that meeting focused on the need for additional measures to promote good governance, leadership, managerial and individual accountability, robust oversight and enforcement in addressing continued challenges in the implementation of the zero tolerance policy.

23. In the following paragraphs, the Secretary-General provides an update on activities undertaken by the Secretariat, building on the previous report (A/66/699) and also subsequent requests from Member States. Overall, the paragraphs describe a programme of action comprising enhanced measures and activities being carried out that focus on three aspects: ensuring the credibility of the Organization's response through increased transparency and cooperation; strengthening governance, oversight and enforcement to achieve greater accountability; and enhancing awareness and advocacy towards more responsive protection and provision of support to victims of sexual exploitation and abuse.

A. Ensuring the credibility of the Organization's response through increased transparency and cooperation

24. Under this aspect of the programme of action, emphasis is laid on the commitment of the Organization to enhanced cooperation and transparency in order to strengthen its credibility and integrity in the eyes of the international community and the people whom it serves. This will instil confidence in the capacity of the United Nations to fulfil its responsibility to protect beneficiaries and to ensure respect for human dignity and the rule of law.

25. The Secretary-General intends, with effect from the sixty-ninth session of the General Assembly, for future versions of the present report to include: country-specific data on the number of credible allegations being investigated by Member States or the Organization; country-specific data on open allegations and pending action, including in paternity cases; and the nature of the offence, information on specific sanctions imposed and whether criminal accountability was enforced, where applicable. In addition, the Secretary-General will continue to address issues of conduct and discipline in his reports to the Security Council on peacekeeping operations as per the mandates of the missions. In this connection, the Secretary-General remains mindful that the reporting of allegations does not establish culpability and that, in all instances, investigations should proceed on the basis that individuals are presumed to be innocent.

26. The Organization is committed to strengthened accountability through the demonstration of specific performance measures regarding prevention, enforcement and remedial action. An accountability policy and mapping tool is under continued development. As part of these efforts for more efficient performance, the obligation to assess and record serious allegations within seven days of receipt, which has been in force since May 2012, has now been complemented by additional procedures by which (i) serious allegations are to be referred for investigation within three days, (ii) follow-up is requested when investigations into allegations are not completed within three months, and (iii) reports of investigations of substantiated allegations are to be reviewed and referred to the Department of Field Support for action within 15 days. The framework for mapping accountability in peacekeeping operations is

considered an indispensable tool of enhanced transparency, allowing for measurement of performance and responsiveness and adjustments to evolving challenges and risks in each individual field mission environment.

27. Risk identification, assessment and management activities are essential elements in enabling targeted identification of performance-based interventions. A team of experts will be conducting assessment interventions in MONUSCO, MINUSTAH, UNMIL and UNMISS, which are the field missions that have consistently experienced the largest number of reported allegations of sexual exploitation and abuse. The information gathered, including on analysis of factors contributing to sexual exploitation and abuse, will inform the continuing development of the risk management framework and any additional measures that may be needed to ensure stricter enforcement of standards and improved focus on prevention of sexual exploitation and abuse. The recommendations emerging from these interventions to address challenges relating either to observed vulnerabilities in local communities or deficiencies in mission environments and the management of personnel conduct will also be reflected, as appropriate, in future programmatic activities.

B. Strengthening governance, oversight and enforcement

28. Enhanced accountability is reflected in the commitment by the Organization and Member States to taking effective action to uphold universal standards and values and to ensuring respect for the dignity of all human beings and protection of the most vulnerable, in addition to condemnation and sanction when those essential tenets are violated.

29. The integrity and good governance of the Organization are directly related to the conduct and values of the individuals whom it employs and whom it deploys. Building on continuing efforts to enforce the zero-tolerance policy at the inter-agency level, the Secretary-General will work with the United Nations agencies, funds and programmes to ensure that systems are agreed upon to exchange information confidentially. This will include both information on reported allegations of sexual exploitation and abuse, as is currently the case, and the names of all civilian personnel who have been terminated or otherwise separated from service in substantiated cases of sexual exploitation and abuse.

30. The Secretary-General has also established a human rights screening policy in an attempt to ensure that anyone who is nominated to serve or is otherwise directly engaged for service by the Organization has not previously committed criminal offences or violations of international humanitarian and human rights law. As part of these efforts, the Misconduct Tracking System, a critical tool for screening personnel since its inception in 2008, has been linked to the recruitment system of the Police Division of the Department of Peacekeeping Operations, allowing for effective and confidential clearance of police personnel before deployment to field missions. A technical algorithm has been developed that enables the system to match information with the greatest degree of accuracy possible. Over the coming months, these accountability enhancement efforts will be continued and will extend to military personnel once a recruitment system similar to that being used by the Police Division has been put in place. Applicable due process rights will continue to be fully respected.

31. The standards of conduct set out in the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) have been incorporated into the revised model memorandum of understanding for military and police personnel concluded with troop- and police-contributing countries and in the instruments relating to personnel recruited individually. In addition, under the human rights screening policy mentioned above, Member States that nominate or provide personnel to serve with the United Nations will be requested to screen their personnel to ensure that they have not committed, or are not alleged to have committed, criminal offences and/or violations of international human rights law and international humanitarian law. Individuals who seek to serve with the United Nations will also be requested to attest that they have not committed, or are not alleged to have committed, such offences and/or violations.

32. Consistent with the terms of the revised memorandum of understanding that troop-contributing countries have concluded with the Organization, the Secretary-General continues to expect that Member States will, upon receipt of information on allegations of misconduct committed by members of their military contingents, immediately conduct investigations into such allegations and pursue criminal accountability where there is sufficient evidence to do so. Although there has been considerable improvement over the past decade and visibly in the more recent past, challenges persist both on the side of Member States and that of the Organization as regards investigations and sharing of information on action taken in substantiated cases.

33. Experience shows that an effective and credible enforcement framework requires prompt and timely action to punish perpetrators in substantiated cases of sexual exploitation and abuse. The Secretary-General will continue to have the highest expectations of Member States and the Secretariat in this respect. An effective enforcement framework also requires an investigation capacity that is immediately available, well trained and well versed in investigation techniques, the required standards of evidence and due process requirements. Delays in taking the appropriate steps or failures to follow procedures may prevent the imposition of sanctions and impede criminal accountability. In this regard, field mission capacity is already being enhanced with investigation training for security and investigative personnel in field missions developed by the Office of Internal Oversight Services and jointly coordinated with the Department of Peacekeeping Operations and the Department of Field Support.

34. The impact on the image, reputation and credibility of the Organization and the human toll on beneficiaries of assistance in instances of sexual exploitation and abuse require continued emphasis on effective accountability measures. Subject to the necessary consultations, the Secretary-General will be considering proposals to reinforce the existing provisions on expected standards of conduct in the United Nations Staff Rules in connection with acts of sexual exploitation and abuse. Where exceptional circumstances so warrant, the Secretary-General may place staff members on administrative leave without pay pending the completion of the investigation and disciplinary process in instances involving serious misconduct, including sexual exploitation and abuse. Furthermore, in line with paragraphs 59 and 40 of General Assembly resolutions 65/289 and 66/264, respectively, the Secretary-General remains firmly committed to strictly applying the requirement

that no payment be made in respect of individual peacekeepers who have been repatriated for disciplinary reasons, such as violation of the policy of zero tolerance.

35. The Secretary-General is committed to engaging with Member States to ensure adequate penalties in substantiated instances of sexual exploitation and abuse. On the part of the Organization, in the case of military and police personnel, depending on the nature and gravity of the misconduct, measures may extend to immediate repatriation and permanent prohibition from further service. Measures may also be taken against individuals who have a duty to report known allegations of misconduct and fail to do so. Furthermore, service medals may be withheld from uniformed personnel where there are allegations of sexual exploitation and abuse, pending the conclusion of investigations. In those exceptional cases where there is prima facie evidence of widespread or systematic violations by several members of the same contingent or unit, the Secretary-General would consider requesting the repatriation of the contingent or unit concerned.

36. Organizational behaviour and culture is set by the leadership, and the highest standards of performance and of command and managerial accountability must apply. The Secretary-General is determined firmly to ensure effective command and managerial oversight. Observed failures or negligence of duty in this respect will be considered in overall performance evaluations and, depending on the nature, gravity and repetition of such failures, recommendations for the non-extension of service of commanders or for disciplinary measures for managers may be considered by the Organization, as appropriate.

37. Significant progress has been made in strengthening enforcement in substantiated instances of sexual exploitation and abuse and ensuring criminal accountability, as reflected in General Assembly resolutions and the actions of the Secretary-General relating to referrals for national prosecution. Recently, guidance was sent to field missions stressing the requirement to report allegations that may involve criminal conduct to Headquarters and the obligation to cooperate with the host State in carrying out all necessary investigations when alleged misconduct by United Nations officials and experts on mission may amount to a crime. To strengthen the legal framework and to enable accountability in all instances, however, there is a need to bring fresh impetus to the recommendation contained in the 2006 report of the Group of Legal Experts on ensuring the accountability of United Nations staff and experts on mission with respect to criminal acts committed in peacekeeping operations (A/60/980), to the effect that an international convention on criminal accountability of United Nations personnel be adopted. The General Assembly has to date taken short-term measures in its resolutions 62/63 and 63/119 (as read with resolutions 64/110, 65/20, 66/93 and 67/88). The question of elaborating a possible convention remains before the Assembly and, in accordance with resolution 67/88, the matter will be taken up once more during its seventieth session. To ensure meaningful and actionable criminal accountability, it is urgent that Member States adopt such a convention.

C. Enhanced awareness and advocacy for more responsive protection and assistance to victims of sexual exploitation and abuse

38. Greater accountability calls for improved reporting and complaint-based mechanisms, with assurances of confidentiality, in addition to victim assistance and

support, in particular in paternity cases. There is a need for strengthened coordination of responses among actors at every level in all areas of victim assistance and support and for enhanced outreach to local communities.

39. The Secretary-General intends to promote integrated efforts in programming to ensure that victims of violations committed by United Nations personnel have fair and equal access to assistance and support available at the national level. Remaining closely engaged with inter-agency partners, enhanced integration of approaches between conduct and discipline teams and field missions' substantive components such as rule of law, gender and child protection would help to strengthen legal assistance for victims of sexual exploitation and abuse, including in instances involving paternity claims. It would also open up avenues for the provision of more comprehensive assistance and support to victims.

40. Prevention of sexual exploitation and abuse requires an integrated approach to learning and training, outreach and advocacy. At the global level, there must be greater cooperation with Member States in the development of training tools and materials that better reflect the distinct challenges faced by various categories of personnel according to the nature of service. Integrated mission training centres and public information components at the mission level will work closely with conduct and discipline teams and other substantive field mission components to promote effective approaches to training United Nations personnel in the prevention of sexual exploitation and abuse and in advocacy and outreach to the public and local communities. Learning and training activities will continue to involve experts in gender and women's empowerment, combating sexual violence, child protection and HIV/AIDS education. In addition, missions will undertake to identify local community leaders and non-governmental organizations with whom to conduct training and build a common understanding of sexual exploitation and abuse, together with a sense of collective responsibility in making efforts to prevent it.

41. In furtherance of those efforts, a stocktaking of training and information-sharing materials relating to conduct and discipline, including prevention of sexual exploitation and abuse, was conducted in October 2012. In most peacekeeping missions having conduct and discipline teams, responses showed that induction and refresher training for all personnel on conduct and discipline matters was mandatory, comprehensive and delivered regularly. Such training includes training of trainers and focal points for civilian, military and police personnel. Furthermore, a review of public awareness tools and communication messages across field missions is under way to inform and redesign global advocacy and awareness-raising campaign efforts that will continue to emphasize standards and values but also put a human face to beneficiaries as mothers and fathers, sisters and brothers and daughters and sons of the local community — each and everyone's home community.

42. In its 2012 observations and recommendations on cross-cutting issues related to peacekeeping operations (A/66/718), the Advisory Committee on Administrative and Budgetary Questions requested that an estimate should be made of the annual cost of special measures for protection from sexual exploitation and abuse in peacekeeping operations. An estimate of costs in this regard is only partially possible, given that conduct and discipline teams and the Conduct and Discipline Unit at Headquarters address issues of misconduct overall, inclusive of sexual exploitation and abuse. In 2012, 12 conduct and discipline teams were in place in

peacekeeping and special political missions supported by the Department of Field Support, covering 19 missions and the United Nations Logistics Base at Brindisi, Italy. For the 2012/13 budget year, the cost of all posts for the Conduct and Discipline Unit and conduct and discipline teams is $6,445,456. In addition, 41 general temporary assistance positions remained in various conduct and discipline teams, at a cost of $2,732,628.

43. The cost of training activities could be only estimated. Conduct and discipline issues are addressed in predeployment training and in induction training covered by missions' overall training budgets. Costs of predeployment and induction training are not disaggregated by subject covered. Core predeployment training materials, including those relating to conduct and discipline issues, are generated and updated by the Integrated Training Service as part of its overall programme of work. Such materials are used as the basis for predeployment training by Member States and for the training conducted by the Integrated Training Service civilian predeployment training team located at the United Nations Logistics Base. Predeployment training of uniformed personnel is the responsibility of Member States, which bear the entire cost of training delivery. Induction training and specific training on the prevention of sexual exploitation and abuse are delivered in-mission as part of mission training plans.

V. Update on inter-agency activities and joint initiatives relevant to protection from sexual exploitation and abuse

44. There has been progress in inter-agency activities and in furthering linkages between the peacekeeping, humanitarian and development communities. Following the recommendations made at the meeting of principals of the Inter-Agency Standing Committee (IASC) held in December 2012, efforts by the leadership of the International Organization for Migration, representing IASC, and the Department of Field Support will be focused on ensuring the highest levels of accountability in relation to protection from sexual exploitation and abuse. Recommendations to be considered include that the IASC Task Force on Protection from Sexual Exploitation and Abuse, comprising focal points of agencies, funds and programmes, jointly with the United Nations Secretariat, submit an annual report to the United Nations System Chief Executives Board for Coordination setting out the status of implementation of joint initiatives. A suggestion also to be discussed is the role of Deputy Special Representatives of the Secretary-General/Resident Coordinators and what is expected of them to keep the required framework of assistance and support services up to date. It is hoped that, with the cooperation of all United Nations actors, this framework will be expanded and maintained and this issue regularly discussed in meetings of the United Nations country team.

45. In 2012, the IASC Task Force continued to provide technical support to implement workplans. Minimum operating standards and implementation guidelines on protection from sexual exploitation and abuse are being adapted for use in the field. A pilot project to establish joint community-based complaint mechanisms on sexual exploitation and abuse is being developed, beginning with Haiti, the Democratic Republic of the Congo and Ethiopia. A workshop to discuss reporting mechanisms, country situations and fundraising for the pilot project was held in Istanbul, Turkey, in November 2012. A DVD, *To Serve with Pride*, is being updated

and will also feature the non-governmental organization perspective and development settings.

46. In addition, a mapping of medical, legal and psychosocial services to support and assist complainants and victims was received from 12 field missions in 2012. The mapping is available on the websites of the Conduct and Discipline Unit and inter-agency task forces[10] and will be updated annually. Some missions have included programmes on reintegration and development, and education and vocational assistance, as relevant.

VI. Conclusions

47. In peacekeeping and special political missions supported by the Department of Field Support, there is a continued downward trend in the number of allegations reported, notably in 2012 with regard to those involving military personnel. Collaborative efforts between Member States and the Organization, in terms of preventive measures, awareness-raising and training, must account for such positive results. Nevertheless, more can and should be done to protect the people whom the Organization is mandated to serve from acts of sexual exploitation and abuse by United Nations personnel.

48. The Secretary-General has presented herein an enhanced plan of action for strengthened accountability and more efficient response in prevention, enforcement and remedial action for protection from sexual exploitation and abuse. Critical to prevention are the efforts for intensified outreach, training and programme coordination activities at the country level among components in field missions and inter-agency and non-governmental partners, with increased involvement of local communities. Also critical are risk identification, assessment and monitoring activities, which must be made more efficient and pursued in a concerted manner at the local and global levels by all actors concerned.

49. The Secretary-General is determined to take all measures necessary to enforce leadership, managerial and individual responsibility and counts on the commitment of Member States to act in the same manner. Strengthened accountability calls for increased transparency and cooperation. When it comes to those most egregious acts of sexual abuse, the credibility of the United Nations is enhanced when it opens itself up to additional scrutiny, including by making public information in connection with allegations under investigation, the results of those investigations and, when substantiated, accountability measures taken. Due process rights of those accused of committing offences must be respected, while accountability must encompass, where warranted, prosecutions for acts of sexual exploitation and abuse that amount to crimes under national laws. These can be exercised only through national courts, however, and such prosecutions are not always possible in relation to civilian personnel or experts on mission. Accordingly, addressing this issue would require continued action by Member States.

50. Measures are being taken to enable access by complainants to more effective confidential means of reporting allegations. The Department of Field Support has taken steps to ensure that progress in addressing reported allegations is monitored and measured more closely. The time needed to complete investigations, the quality

[10] http://cdu.unlb.org/ and www.pseataskforce.org.

of those investigations and, in instances involving investigations by troop-contributing countries, the sufficiency of information regarding the results of investigations are all issues that will require additional efforts and cooperation between the Organization and Member States, however.

51. Behind the numbers of allegations of sexual exploitation and abuse reported each year there are individuals affected by acts committed by United Nations personnel. The United Nations as a whole is partnering with non-governmental organizations and local actors to take measures to provide immediate support. Issues of compensation, when justified, and in particular the determination of paternity claims and resulting measures for child support are again issues of national competences, however. Facilitating the provision of such support to victims would therefore again warrant action by Member States.

52. **The General Assembly is requested to take note of the present report.**

Annex I

United Nations entities requested to provide information on allegations of sexual exploitation and abuse

Department for General Assembly and Conference Management

Department of Economic and Social Affairs

Department of Field Support

Department of Management

Department of Peacekeeping Operations

Department of Political Affairs

Department of Public Information

Department of Safety and Security

Economic and Social Commission for Asia and the Pacific

Economic and Social Commission for Western Asia

Economic Commission for Africa

Economic Commission for Europe

Economic Commission for Latin America and the Caribbean

International Criminal Tribunal for Rwanda

International Residual Mechanism for Criminal Tribunals

International Trade Centre

International Tribunal for the Former Yugoslavia

Joint United Nations Programme on HIV/AIDS (UNAIDS)

Office for Disarmament Affairs

Office for the Coordination of Humanitarian Affairs

Office of Internal Oversight Services

Office of Legal Affairs

Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States

Office of the Secretary-General

Office of the Special Adviser on Africa

Office of the Special Representative of the Secretary-General for Children and Armed Conflict

Office of the United Nations High Commissioner for Human Rights

Office of the United Nations High Commissioner for Refugees

Peacebuilding Support Office

United Nations Children's Fund

United Nations Conference on Trade and Development

United Nations Entity for the Gender Equality and the Empowerment of Women

United Nations Development Programme

United Nations Joint Staff Pension Fund

United Nations Office at Geneva

United Nations Office at Nairobi[a]

United Nations Office at Vienna[b]

United Nations Office for Project Services

United Nations Population Fund

United Nations Relief and Works Agency for Palestine Refugees in the Near East

United Nations University

United Nations Volunteers Programme

World Food Programme

[a] Including the United Nations Environment Programme and the United Nations Human Settlements Programme.

[b] Including the United Nations Office on Drugs and Crime.

Annex II

Nature of allegations by entities other than peacekeeping and special political missions supported by the Department of Field Support, for the year 2012

Nature of allegation	*International Criminal Tribunal for Rwanda*	*Office of the United Nations High Commissioner for Refugees*	*United Nations Population Fund*	*United Nations Relief and Works Agency for Palestine Refugees in the Near East*	*World Food Programme*	*Total*
Rape						
Victim under 18	–	–	–	–	–	–
Victim over 18	–	1	–	–	–	1
Sex with minors	–	2	–	1	–	3
Sexual assault						
Victim under 18	–	1	–	5	–	6
Victim over 18	–	–	–	–	–	–
Trafficking of persons for sexual exploitation	–	–	–	–	–	–
Exchange of money, employment, goods or services for sex	–	4	1	1	–	6
Solicitation of prostitutes						
Victim under 18	–	–	–	–	–	–
Victim over 18	–	–	–	–	–	–
Other forms of sexual exploitation and abuse	–	4	–	6	1	11
Other violations of the provisions of ST/SGB/2003/13 (e.g., false reporting of sexual exploitation and abuse)	1	–	–	–	–	1
Total	**1**	**12**	**1**	**13**	**1**	**28**

Annex III

Status of investigations into allegations received in 2012 involving entities other than peacekeeping and special political missions supported by the Department of Field Support

Entity	*Allegations received*	*Status of investigation as at 31 December 2012*		
		Unsubstantiated or closed	*Substantiated or report under review*	*Investigation continuing*
International Criminal Tribunal for Rwanda	1	–	–	1
Office of the United Nations High Commissioner for Refugees	12	1	–	11
United Nations Population Fund	1	–	–	1
United Nations Relief and Works Agency for Palestine Refugees in the Near East	13	7	3	3
World Food Programme	1	1	–	–
Total	**28**	**9**	**3**	**16**

Annex IV

Allegations by field mission and category of personnel, reported to the Office of Internal Oversight Services in 2012 involving personnel of the Department of Peacekeeping Operations and the Department of Field Support

Mission	*Category of personnel*	*Victim[a]*	*Allegation*	*Status*	*Results*	*Action*
MINURSO	Military contingent	Adult	Exploitation	For information	n/a	Closed
MINUSTAH	Military contingent (1)	Adult (2)	Abuse	For information	n/a	Closed
MINUSTAH	Military contingent (1)	Adult (1)	Exploitation (paternity)	Troop-contributing country investigation	Pending	Open
MINUSTAH	Police formed police unit (1)	Adult (1)	Abuse	United Nations investigation	Pending	Open
MINUSTAH	Police (1)	Adult (1)	Exploitation (paternity)	United Nations investigation	Pending	Open
MINUSTAH	Police formed police unit (1)	Adult (1)	Exploitation	United Nations investigation	Pending	Open
MINUSTAH	Police formed police unit (2)	Minor (1)	Abuse	United Nations investigation	Substantiated	United Nations repatriation Police-contributing country jail and other
MINUSTAH	Military contingent (1)	Adult	Exploitation	Troop-contributing country investigation	Unsubstantiated	Closed
MINUSTAH	Police (3)	Minor	Abuse	United Nations investigation	Unsubstantiated	Closed
MONUSCO	Military contingent	Adult	Exploitation	For information	n/a	Closed
MONUSCO	Civilian staff (1)	Adult	Exploitation	For information	n/a	Closed
MONUSCO	Civilian staff (1)	Minor (1)	Abuse	For information	n/a	Closed
MONUSCO	Civilian Contractor (1)	Minor	Abuse	For information	n/a	Closed
MONUSCO	Military contingent	Adult (1)	Exploitation	For information	n/a	Closed
MONUSCO	Military contingent (1)	Adult (1)	Abuse	United Nations investigation	Pending	Open

Mission	*Category of personnel*	*Victim[a]*	*Allegation*	*Status*	*Results*	*Action*
MONUSCO	Civilian United Nations Volunteer (1)	Adult (1)	Exploitation (paternity)	United Nations investigation	Pending	Open
MONUSCO	Civilian staff (1)	Adult	Abuse	United Nations investigation	Pending	Open
MONUSCO	Civilian United Nations Volunteer (1)	Adult (1)	Exploitation	United Nations investigation	Pending	Open
MONUSCO	Civilian staff (1)	Minor (1)	Abuse	United Nations investigation	Pending	Open
MONUSCO	Military contingent (1)	Adult (1)	Exploitation	United Nations investigation	Pending	Open
MONUSCO	Civilian Contractor (1)	Adult (1)	Exploitation	United Nations investigation	Pending	Open
MONUSCO	Civilian Contractor (1)	Minor (1)	Abuse	United Nations investigation	Pending	Open
MONUSCO	Civilian United Nations Volunteer (1)	Adult (1)	Exploitation	United Nations investigation	Pending	Open
MONUSCO	Civilian Contractor (1)	Adult (1)	Exploitation (paternity)	United Nations investigation	Pending	Open
MONUSCO	Civilian staff (1)	Minor (1)	Abuse	United Nations investigation	Pending	Open
MONUSCO	Military contingent (1)	Adult (1)	Exploitation (paternity)	United Nations investigation	Pending	Open
MONUSCO	Civilian staff (1)	Adult (1)	Exploitation	United Nations investigation	Pending	Open
MONUSCO	Civilian national staff (1)	Minor (2)	Abuse	United Nations investigation	Pending	Open
MONUSCO	Military contingent (3)	Adult (1)	Abuse	Troop-contributing country investigation	Substantiated	Pending
MONUSCO	Military contingent (3)	Adult (2)	Exploitation	Troop-contributing country investigation	Unsubstantiated	Closed
MONUSCO	Civilian national staff (1)	Minor (1)	Abuse	United Nations investigation	Unsubstantiated	Closed
MONUSCO	Police formed police unit (2)	Adult (1)	Abuse	United Nations investigation	Unsubstantiated	Closed

Mission	*Category of personnel*	*Victim[a]*	*Allegation*	*Status*	*Results*	*Action*
MONUSCO	Military observer (1)	Adult (1)	Exploitation	United Nations investigation	Unsubstantiated	Closed
MONUSCO	Police (1)	Adult	Abuse	United Nations review	Unsubstantiated	Closed
UNAMA	Civilian staff (1)	Minor	Abuse	For information	n/a	Closed
UNIOGBIS	Civilian staff	Minor	Abuse	For information	n/a	Closed
UNISFA	Civilian staff (1)	Minor	Abuse	United Nations investigation	Pending	Open
UNMIL	Civilian staff (1)	Adult	Exploitation	For information	n/a	Closed
UNMIL	Military contingent	Adult	Exploitation	Troop-contributing country investigation	Pending	Open
UNMIL	Military contingent (1)	Adult (1)	Exploitation	Troop-contributing country investigation	Pending	Open
UNMIL	Civilian staff (1)	Adult (1)	Exploitation	United Nations investigation	Pending	Open
UNMIL	Civilian staff (1)	Adult	Exploitation	United Nations investigation	Pending	Open
UNMIL	Military contingent	Minor	Abuse	United Nations investigation	Pending	Open
UNMIL	Civilian contractor (1)	Adult (1)	Exploitation	United Nations investigation	Pending	Open
UNMIL	Civilian staff (1)	Adult (2)	Exploitation	United Nations investigation	Pending	Open
UNMIL	Military contingent (1)	Minor (2)	Abuse	Troop-contributing country investigation	Substantiated	United Nations repatriation Troop-contributing country jail and other
UNMISS	Civilian staff (1)	Adult (2)	Exploitation	For information	n/a	Closed
UNMISS	Unidentified	Adult	Exploitation	For information	n/a	Closed
UNMISS	Civilian staff	Adult	Exploitation	For information	n/a	Closed

Mission	*Category of personnel*	*Victim*[a]	*Allegation*	*Status*	*Results*	*Action*
UNMISS	Civilian staff	Adult	Exploitation	United Nations investigation	Pending	Open
UNMISS	Civilian contractor (1)	Adult (1)	Abuse	United Nations investigation	Pending	Open
UNMISS	Civilian staff	Minor (1)	Abuse	United Nations investigation	Pending	Open
UNMISS	Civilian staff (1)	Adult	Exploitation	United Nations investigation	Pending	Open
UNMISS	Military observer (1)	Adult (1)	Exploitation	United Nations investigation	Pending	Open
UNMISS	Civilian national staff (1)	Adult (1)	Exploitation	United Nations investigation	Pending	Open
UNMIT	Police (1)	Adult (1)	Exploitation (paternity)	United Nations investigation	Pending	Open
UNMIT	Police (1)	Adult (1)	Abuse	United Nations investigation	Pending	Open
UNOCI	Military contingent (2)	Minor (2) Adult (1)	Abuse	Troop-contributing country investigation	Pending	Open
UNOCI	Military contingent	Minor (2)	Abuse	Troop-contributing country investigation	Unsubstantiated	Closed
UNOCI	Civilian national staff (1)	Minor (1)	Abuse	United Nations investigation	Unsubstantiated	Closed

Abbreviations: MINURSO, United Nations Mission for the Referendum in Western Sahara; MINUSTAH, United Nations Stabilization Mission in Haiti; MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; UNAMA, United Nations Assistance Mission in Afghanistan; UNIOGBIS, United Nations Integrated Peacebuilding Office in Guinea-Bissau; UNISFA, United Nations Interim Security Force for Abyei; UNMIL, United Nations Mission in Liberia; UNMISS, United Nations Mission in South Sudan; UNMIT, United Nations Integrated Mission in Timor-Leste; UNOCI, United Nations Operation in Côte d'Ivoire.

[a] The number of individuals involved is indicated in parentheses, when available.